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By Electronic Filing

Judge William F. Kuntz, II
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Mario Cando, et al. v. Big City Yonkers, Inc., et al.
Case No.: 1:16-cv-01154 (WFK-RML)

Dear Judge Kuntz:

We represent Defendants Big City Yonkers, Inc., Autostar Automotive Warehouses Inc., and QPBC, Inc. ("Defendants") in the above-referenced action. On June 3, in accordance with Rule III(B) of Your Honor's Individual Practices and Rules, we requested that the Court convene a Pre-Motion Conference regarding Defendants' anticipated motion to dismiss the Complaint of Plaintiffs Mario Cando, et al. (collectively, "Plaintiffs") pursuant to Rule 12(b)(3) and 12(b)(6) of the Federal Rules of Civil Procedure.

Your honor granted Defendants' request and scheduled the pre-motion conference for June 24. On June 7, however, the Court adjourned the pre-motion conference *sine die* to enable the parties to explore settlement. Since that time, the parties have engaged in settlement discussions and exchanged settlement data, but have not been able to reach a resolution. On August 10, Plaintiffs submitted a letter requesting that the Court compel Defendants to answer, move or otherwise respond to the Amended Complaint. Accordingly, we write to renew Defendants' request for a pre-motion conference, and would be happy to participate in the conference already scheduled for October 7.

We greatly appreciate the Court's time and attention.

Respectfully,

/s/ David L. Weissman

David L. Weissman
Mark S. Goldstein

cc: All counsel of record (via ECF)